

FULL BOARD MEETING AGENDA
of the
BOARD OF NURSING
10:32 a.m. to 12:48 p.m.
Wednesday, July 19, 2023

1. Call To Order - Establish Quorum - Introduction of Board & Staff Members Present (0:18)

Board Members Present:

Desma Meissner
Alicia Beagles
Russ Motschenbacher
Sarah Spangler, Presiding Officer
Nicole Guay
Lee Evatt
Lisa Stricker
Betsy Mancuso

Staff Present:

Missy Poortenga, Executive Officer II
Jay Unsworth, Executive Officer I
Heidi Kaufman, Compliance Specialist
Sara Hansen-Baiamonte, Agency Counsel
Jennifer Stallkamp, Agency Counsel
Kevin Maki, Agency Prosecutor
Michele Peterson-Cook, Agency Prosecutor

Board Members Present, Not Participating

Constance Neumann

Mission Statement of the Board: *The mission of the Board of Nursing is to protect the health, safety and well-being of Montana citizens through the licensing of competent nursing professionals and by the regulation of the practice to promote the delivery of quality health care.*

2. Approval and Tentative Modification of Agenda Order (2:14)

MOTION: (2:26) Nicole Guay moved to approve the agenda as noticed. Lee Evatt seconded. The motion passed unanimously.

3. Review of Minutes (2:49)

- a. April 19, 2023 full board meeting

4. Public Opportunity to Comment (3:04)

The Presiding officer read the statement. No public present gave comment.

5. Board Action (4:56)

- a. Annual vote for presiding officer and vice presiding officer ([HB 87](#))

Presiding Officer: Nicole Guay nominated Sarah Spangler. Alicia Beagles seconded. The nomination carried. Sarah Spangler was elected presiding officer.

Vice Presiding officer: Betsy Mancuso nominated Constance Neumann. Sarah Spangler nominated Nicole Guay. Lee Evatt seconded the nomination for Nicole Guay. Six votes were in favor of Nicole Guay. Three votes were in favor of Constance Neumann. Nicole Guay was elected vice-presiding officer.

- b. Nonroutine Applications and Reinstatement Requests (ARM [24.101.402](#)) (10:05)

- i. Elaine Caluori – NUR-RN-APP-214853, request for reinstatement of RN license (10:10)

At 10:50 the presiding officer moved the board to executive session under MCA 2-3-203 (4) for litigation strategy. At 11:07 the presiding officer reconvened open session.

MOTION (17:48): Nicole Guay moved to deny the application based on evidence of a lack of rehabilitation and that consideration of a reapplication in the future should include an unconditional pass of the CPEP PROBE course, completion of a fitness to practice evaluation, and completion of a nursing refresher course. Alicia Beagles seconded. The motion passed unanimously.

ii. Efstathia Poulos – NUR-RN-APP-214013, application for RN by examination. **(21:18)**

At 11:14 the chair moved the board to executive session under MCA 2-3-203 (4) for litigation strategy. At 11:23 the chair reconvened open session.

MOTION: (25:23) Alicia Beagles moved approve the applicant to sit for the NCLEX RN exam and upon passage to issue a full and unrestricted license. Lisa Stricker and Betsy Mancuso seconded the motion. The motion carried unanimously.

c. Consider Summary Judgment Issuance **(27:27)**

i. Case No. 207-2023, NUR-RN-APP-178539, Bilikis Odesanya

MOTION: (38:43) Sarah Spangler moved to accept the findings of facts as presented. Lisa Stricker seconded. The motion passed unanimously.

MOTION: (41:04) Sarah Spangler moved to accept conclusions of law as presented. Nicole Guay seconded. The motion passed unanimously.

MOTION: (42:50) Betsy Mancuso moved to accept the recommended sanctions as presented. Lee Evatt seconded. The motion passed unanimously.

MOTION: (44:02) Lee Evatt moved to accept the hearing officer's proposed order in its entirety. Lisa Stricker seconded. The motion passed unanimously.

d. Education Programs **(46:25)**

i. Substantive Change Reports **(46:29)**

1. Miles Community College – change in program director

a. Public opportunity to comment

No public present gave comment.

b. Board discussion and potential action

MOTION: (48:10) Russ Motschenbacher moved to accept the substantive change report. Alicia Beagles seconded. The motion carried unanimously.

e. Rulemaking Discussion **(48:50)**

i. Consider Rules Proposal to Implement HB 87, HB 154, HB 583, HB 655, and General Clean Up

1. Public opportunity to comment

No public present gave comment.

2. Amendment of ARM 24.159.301 Definitions, 24.159.910 General Requirements for Licensure as a Medication Aide I, 24.159.915 Standards Related to the Responsibilities of a Medication Aide I, and 24.159.916 Standards Related to the Responsibilities of a Medication Aide II
3. New Rule I Administrative Suspension
4. New Rule II Circumstances Constituting a Low Risk of Adverse Homebirth Outcomes
5. Repeal of ARM 24.159.404 Military Training or Experience, 24.159.407 Meetings of the Board, 24.159.408 Officers of the Board, 24.159.409 Duties of the President of the Board, 24.159.502 Nurse Licensure Compact Rules, 24.159.901 Definitions, 24.159.911 General Requirements for Licensure as Medication Aide II, and 24.159.912 Continuing Education Requirements for Medication Aide II
6. Consider Motion to Amend ARM 24.159.301, 915 and 916, Adopt New Rules I & II, and Repeal ARM 24.159.404, 407, 408, 409, 502, 901, 911 and 912 and Small Business Impact Determination

MOTION (58:56) Russ Motschenbacher moved to amend ARM 24.159.301, 915 and 916, adopt New Rules I and II, and repeal ARM 24.159.404, 407, 408, 409, 502, 901, 911 and 912 as recommended by staff and discussed today and the amendments, new rules and repeals do not significantly and directly impact Montana small businesses. Lee Evatt seconded. The motion passed.

The Presiding Officer declared a recess at 11:58 a.m. At 12:10 p.m. the board reconvened.

6. Montana Recovery Program Quarterly Report (1:00:52)

7. 2024 Board Meeting Schedule (1:27:00)

8. Department Reports (1:27:54)

a. Executive Officer

1. Legislative Update
2. Budget
3. Outreach
4. Board Member Training – October 19-20, 2023

9. Items of Interest (1:34:37)

- a. NCSBN Annual Meeting – August 16-18, 2023 in Chicago, Illinois
- b. 2022 Nursing Workforce Study

10. Adjourn (1:39:00)

At 12:48 p.m. Sarah Spangler, presiding officer, declared the meeting adjourned.